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PATENT

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
LOREN J. VELTROP et al) GRILL SCRAPER
Serial No. 10/051,526) Group Art Unit 3617
Filed January 18, 2002)

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed January 26, 2004, received by undersigned counsel February 2, 2004, Applicants hereby petition for revival of the above-identified application as being unintentional under 37 C.F.R. 1.137(b).

02/11/2004 AXELLEY 00000017 10051526

CA FCI2454

665.00 DP

37 CFR 1.8
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2004.

Signature:

John R. Hoffman

Name:

John R. Hoffman

I. Undersigned counsel hereby states that the entire delay from counsel's receipt of the Filing Receipt to counsel's receipt of the Notice of Abandonment (copy attached) was unintentional. The Notice to File Missing Parts ("Notice") was stapled to the Filing Receipt and undersigned counsel, nor his secretary, realized the attachment.

It would be a considerable injustice if this application remained abandoned, because the missing parts simply relate to inadequate margins on the drawing sheets, a correction often required by Examiners prior to paying an application's issue fee, rather than attachment to the Filing Receipt.

In addition, to emphasize that the delay clearly has been unintentional, Applicants have a co-pending and live Design application Serial No. 29/168,272 corresponding to this mechanical application. Applicants certainly have no intent whatsoever to abandon this application.

II. Being filed herewith is a copy of the Notice and substitute drawings with appropriate margins.

III. The PTO petition fee of \$665.00 is being forwarded herewith.

IV. It is not believed that a terminal disclaimer is necessary since the patent on this application will run from the filing date, regardless of these intervening events.

PATENT

Undersigned couns I hereby certifies the ab ve facts to be true.

Respectfully submitted,

By John R. Hoffman
John R. Hoffman
Reg. No. 25,079

February 4, 2004

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/051,526	01/18/2002	Loren J. Veltrop	

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CONFIRMATION NO. 9277
ABANDONMENT/TERMINATION
LETTER

 OC000000011765144

Date Mailed: 01/26/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/14/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY